

Bonnie Lowenthal, Vice Mayor, 1st District  
Suja Lowenthal, 2nd District  
Gary DeLong, 3rd District  
Patrick O'Donnell, 4th District



Patrick H. West, City Manager  
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Gerrie Schipske, 5th District  
Dee Andrews, 6th District  
Tonia Reyes Uranga, 7th District  
Rae Gabelich, 8th District  
Val Lerch, 9th District

Robert E. Shannon, City Attorney

**PROCLAMATION PRESENTED  
FOR DISABILITY AWARENESS MONTH  
OCTOBER 2007**

**PROCLAMATION PRESENTED  
FOR CULTURAL DIVERSITY MONTH  
OCTOBER 2007**

**PROCLAMATION PRESENTED  
FOR ARTS MONTH  
OCTOBER 2007**

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

**HEARINGS:**

1. 07-1125 Recommendation to receive supporting documentation, including the petitions, into the record, conclude the public hearing, and request City Attorney to prepare an amendment to the Long Beach Municipal Code, to establish Preferential Parking District "U" as recommended by the City Traffic Engineer. (District 4)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

2. 07-1126 Recommendation to receive supporting documentation, including the petitions, into the record, conclude the public hearing, and request City Attorney to prepare an amendment to the Long Beach Municipal Code, to establish Preferential Parking District "S" as recommended by the City Traffic Engineer. (District 5)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

## **PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK**

Opportunity to address the City Council (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk beginning at 15 minutes prior to 5:00 p.m. Each speaker is allowed three minutes to make their comments.

## **NOTICE TO THE PUBLIC**

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

## **CONSENT CALENDAR: (3 - 21)**

3. 07-1156      Recommendation to receive and file report on travel to New York, NY and Washington, D.C. to attend an International Downtown Association event, the Broad Prize for Urban Education Awards and an Alliance to Save Energy event.

**Office or Department:** MAYOR BOB FOSTER

**Suggested Action:**    Approve recommendation.

4. 07-1147      Recommendation to authorize City Attorney to submit Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$73,427.50 for the claim of Cynthia Orel, in compliance with the Appeals Board Order.

**Office or Department:** CITY ATTORNEY

**Suggested Action:**    Approve recommendation.

5. 07-1152      Recommendation to authorize City Attorney to pay the sum of \$12,000 in full settlement of lawsuit entitled *Mooshagian v. City of Long Beach, et al.*, Case No. NC039247.

**Office or Department:** CITY ATTORNEY

**Suggested Action:**    Approve recommendation.

6. 07-1127      Recommendation to authorize City Manager to execute First Amendment to Agreement for legal services between the City of Los Angeles, the City of Long Beach and Spillane Shaeffer Aronoff Bandlow, LLP (formerly Fox Spillane Shaeffer, LLP). (Citywide)  
**Office or Department:** CITY ATTORNEY  
  
**Suggested Action:**    Approve recommendation.
7. 07-1153      Recommendation to adopt resolution in support of distributed solar electric power in Long Beach. (Citywide)  
**Office or Department:** CITY ATTORNEY  
  
**Suggested Action:**    Approve recommendation.
8. 07-1131      Recommendation to approve the City Council minutes for the meetings of Tuesday, September 11, 2007 and September 18, 2007.  
**Office or Department:** CITY CLERK  
  
**Suggested Action:**    Approve recommendation.
9. 07-1132      Recommendation to refer to City Attorney damage claims received between September 13, 2007 and September 27, 2007.  
**Office or Department:** CITY CLERK  
  
**Suggested Action:**    Approve recommendation.
10. 07-1140      Recommendation to approve the Mayor and City Council 2007 Records Retention Schedule.  
**Office or Department:** CITY CLERK  
  
**Suggested Action:**    Approve recommendation.

11. 07-1128 Recommendation to receive and file Annual Report of the Downtown Long Beach Parking and Business Improvement Area; approve the proposed budget for Fiscal Year 2008 (FY 08); and authorize City Manager to execute a contract with the Downtown Long Beach Associates for the period of October 1, 2007 through September 30, 2008 in the amount of \$585,000. (Districts 1,2)

**Office or Department:** COMMUNITY DEVELOPMENT

**Suggested Action:** Approve recommendation.

12. 07-1129 Recommendation to approve the Downtown Long Beach Property and Business Improvement District Annual Report for the period of January 1, 2008 through December 31, 2008, automatically extending the current agreement with the Downtown Long Beach Associates for one year; and increase budget appropriation by \$22,777 in the Civic Center Fund (IS 380) in the Department of Public Works (PW). (Districts 1,2)

**Office or Department:** COMMUNITY DEVELOPMENT; PUBLIC WORKS

**Suggested Action:** Approve recommendation.

13. 07-1130 Recommendation to adopt Specifications No. PA-03107 and award a contract to Orange Mirror and Glass to furnish and deliver window glass, in the estimated amount of \$125,000, plus a 10 percent contingency, for a period of one year with the option to renew for two additional one-year periods, at the discretion of the City Manager. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

14. 07-1133 Recommendation to authorize City Manager to execute a Water Sales Agreement and Amendments thereto between the City of Long Beach as Fault Block Operator and City of Long Beach as Long Beach Unit Operator for a one-year term, with a month-to-month continuance until termination upon thirty-days notice by either party. (Districts 1,2)

**Office or Department:** LONG BEACH GAS AND OIL

**Suggested Action:** Approve recommendation.

15. 07-1134      Recommendation to receive and file the report, "Elevation Changes in the City of Long Beach, November 2006 through April 2007." (Citywide)  
**Office or Department:** LONG BEACH GAS AND OIL  
  
**Suggested Action:**    Approve recommendation.
16. 07-1135      Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the Federal Fiscal Year 2007 Edward Byrne Memorial Justice Assistance Grant Program; and increase appropriations in the General Grants Fund (SR120) and in the Police Department (PD) by \$380,740. (Citywide)  
**Office or Department:** POLICE  
  
**Suggested Action:**    Approve recommendation.
17. 07-1136      Recommendation to adopt resolution ordering the summary vacation of public alleys west of San Francisco Avenue and a portion of De Forest Avenue, all between Anaheim and Esther Streets. (District 1)  
**Office or Department:** PUBLIC WORKS  
  
**Suggested Action:**    Approve recommendation.
18. 07-1137      Recommendation to authorize City Manager to execute a public walkways occupancy permit for sidewalk dining at Quiznos Sub located at 525 East First Street. (District 2)  
**Office or Department:** PUBLIC WORKS  
  
**Suggested Action:**    Approve recommendation.
19. 07-1138      Recommendation to authorize City Manager to execute the first amendment to Agreement No. 28969 with BMC Software Distribution, Inc. (BMC) to provide various mainframe software licenses and maintenance services for a term of three years in an amount not to exceed \$62,087 annually. (Citywide)  
**Office or Department:** TECHNOLOGY SERVICES  
  
**Suggested Action:**    Approve recommendation.

20. 07-1139            Recommendation to receive and file minutes of:  
Harbor Commission - September 10 and 17, 2007.  
Parks and Recreation Commission - August 16, 2007.

**Office or Department:** VARIOUS

**Suggested Action:**    Approve recommendation.

21. 07-1157            Recommendation to receive and file Certificates of Congratulations for  
Centro CHA's Nuestra Imagen 2007 Award recipients: The Port of Long  
Beach, Christopher Steinhauser, Rene Castro, St. Mary Medical Center  
- Women's Center Services, Latino Managers' and Professional  
Organization, Black Managers Association, Chief's Latino Advisory  
Group, Jaqueline Araujo, Eric Fernandez and Larry Fernandez.

**Office or Department:** LEGISLATIVE

**Suggested Action:**    Approve recommendation.

**UNFINISHED BUSINESS:**

22. 07-1027            Recommendation that City Council concur in recommendation of the  
Budget Oversight Committee that the updated list of Priorities be  
received and approved for FY 2008.

**Office or Department:** COUNCILMEMBER GARY DELONG, THIRD  
DISTRICT, CHAIR; BUDGET OVERSIGHT  
COMMITTEE

**Suggested Action:**    Approve recommendation.

## REGULAR AGENDA

### DEPARTMENTAL COMMUNICATIONS:

23. 07-1154      Recommendation to request City Manager to work with the Department of Public Works and the Long Beach Tree Committee to determine the feasibility, rights-of-way, legal and property line issues, cost, and workload of incorporating meandering sidewalks into the City's tree root repair programs, when applicable. The Public Works Department should communicate with other cities utilizing similar methods to save old-growth trees to share research and information.
- Office or Department:** VICE MAYOR BONNIE LOWENTHAL,  
COUNCILMEMBER, FIRST DISTRICT
- Suggested Action:**    Approve recommendation.
24. 07-0661      Recommendation to City Council to concur in recommendation of the Housing and Neighborhoods Committee to approve the communications relating to naming the California Recreation Center as the "Ernest S. McBride, Sr. Park".
- Office or Department:** VICE MAYOR BONNIE LOWENTHAL,  
COUNCILMEMBER, FIRST DISTRICT, CHAIR;  
HOUSING AND NEIGHBORHOODS  
COMMITTEE
- Suggested Action:**    Approve recommendation.
25. 07-1148      Recommendation to adopt resolution requesting the Board of Supervisors of the County of Los Angeles to authorize and order the consolidation of a Citywide Special Municipal Election with the Statewide Presidential Primary Election to be held on Tuesday, February 5, 2008, and determining and declaring that the City will pay to the County reasonable and actual expenses incurred by the County on account of the consolidation of this election;
- (Agenda Item No. 25 continued on next page.)

07-1149        Adopt resolution requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a Special Municipal Election to be held on Tuesday, February 5, 2008; and

07-1150        Adopt resolution calling and providing for and giving notice of a Special Municipal Election to be held in the City of Long Beach on Tuesday, the 5th day of February, 2008, for the purpose of submitting two ballot propositions to a vote of the qualified electors of the City. (Citywide)

**Office or Department:** CITY CLERK

**Suggested Action:**    Approve recommendation.

26. 07-1141        Recommendation to authorize City Manager to execute an Agreement with the Public Corporation for the Arts of the City of Long Beach, Inc., doing business as Arts Council for Long Beach, in the amount of \$600,000 to fund arts and cultural activities for a period of one year. (Citywide)

**Office or Department:** CITY MANAGER

**Suggested Action:**    Approve recommendation.

27. 07-1142        Recommendation to authorize City Manager to terminate the existing Energy Master Purchase/Sale and Services Agreement with Coral Energy Resources, L.P. and to execute and enter into: (A) a Gas Services Agreement with Coral Energy Resources, L.P., for a term not to exceed 20 months, or on such terms as the City Manager may deem appropriate; (B) an ISDA (International Swaps and Derivatives Association) Master Agreement together with the U.S. Municipal Counter Party Schedule and Credit Support Annex thereto, each on such terms as the City Manager may deem appropriate and Confirmations under the Master Agreement for a Fixed-float Swap transaction, a Call Option transaction, and a Put Option transaction each on such terms as the City Manager may deem appropriate; and (C) NAESB (North American Energy Standards Board) Contract on such terms and enter into such transactions under the NAESB as the City Manager may deem appropriate. (Citywide)

**Office or Department:** LONG BEACH GAS AND OIL

**Suggested Action:**    Approve recommendation.



28. 07-1143      Recommendation to authorize City Manager to execute a Memorandum of Understanding between the City of Long Beach and the Long Beach Yacht Club, a non-profit public benefit corporation, establishing a Management Agreement for the long dock adjacent to the clubhouse, located at 6201 Appian Way. (District 3)

**Office or Department:** PARKS, RECREATION AND MARINE

**Suggested Action:**    Approve recommendation.

29. 07-1144      Recommendation to authorize City Manager to execute the Second Amendment to Contract No. 29448 with Sully-Miller Contracting Company to increase the contract by \$900,000 for a total cumulative contract amount of \$15,400,000. (Citywide)

**Office or Department:** PUBLIC WORKS

**Suggested Action:**    Approve recommendation.

**ORDINANCES:**

30. 07-1151      Recommendation to declare ordinance amending Chapter 5.16 of the Long Beach Municipal Code by adding Subsection 5.16.010(F) and by adding section 5.16.050 as Article VI, both relating to car rental agencies read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

**Office or Department:** CITY ATTORNEY

**Suggested Action:**    Approve recommendation.

31. 07-1146      Recommendation to declare ordinance amending Chapter 8.61 of the Long Beach Municipal Code entitled "Shopping Carts" to establish an administrative citation program, read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

**Office or Department:** CITY MANAGER

**Suggested Action:**    Approve recommendation.

32. 07-1145 Recommendation to declare ordinance amending Long Beach Municipal Code Chapter 9.65 related to Administrative Citations and the use of free standing canopies in residential areas, read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

**Office or Department:** COMMUNITY DEVELOPMENT

**Suggested Action:** Approve recommendation.

33. 07-0250 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Chapter 21.33 by amending Table 32-1; and amending Section 21.52.213 by adding Subsection E, all relating to zoning of churches. (Citywide)

**Office or Department:** PLANNING COMMISSION; PLANNING AND BUILDING

**Suggested Action:** Approve recommendation.

**NEW BUSINESS:**

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Thursday afternoon.

34.

35.

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**PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT**

Opportunity is given to those members of the public who have not addressed the City Council on non-agenda items. Each speaker is limited to three minutes unless extended by the City Council.

**STANDING COMMITTEE REMINDERS:**

Tuesday, October 2, 2007 – Economic Development and Finance Committee (Attorney/Client) at 2:00 P.M., 14th Floor Conference Room.

Tuesday, October 2, 2007 – Elections Oversight Committee at 2:30 P.M., Council Chamber.

**HEARING REMINDERS:**

Tuesday, October 9, 2007 – Hearing for the levy of the annual assessment for the Long Beach Tourism Business Improvement Area. (Districts 1,2,4,5)

Tuesday, October 9, 2007 – Hearing for EWJJ Inc., dba El Dorado Restaurant, for a permit for entertainment with dancing by patrons, 3014 Studebaker Road. (District 5)

Tuesday, October 9, 2007 – Hearing for Queens Seaport Development Inc., dba Queen Mary, for a permit for entertainment with dancing by patrons. (District 2)

Tuesday, October 16, 2007 – Hearing for S.C. Fish Grill, LLC, dba Khoury's Restaurant, for a permit for entertainment with dancing by patrons, 110 Marina Drive. (District 3)

**NOTE:**

An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802.

The City Council agenda and supporting documents are available on the Internet at [www.longbeach.gov](http://www.longbeach.gov). Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach E-Notify System at <http://www.longbeach.gov/enotify/default.asp>.

Agenda items may also be reviewed in the City Clerk Department or the Plaza Level Information Desk of the Main Library and at Branch Libraries.

If language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the City Clerk Department at (562) 570-6101, by 12 noon Monday, the day prior to the Council meeting.

E-Mail correspondence regarding agenda items can be directed to [cityclerk@longbeach.gov](mailto:cityclerk@longbeach.gov).

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